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EXAMINER
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ART UNIT	PAPER NUMBER
3623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Applicati n N .	Applicant(s)
Offic Action Summary	09/474,643	HAYNES ET AL.
	Examin r	Art Unit
	Beth Van Doren	3623

-- The MAILING DATE of this c mmunicati n appears on the c ver sheet with th correspondence address --

Peri d f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>4/15/2004</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7,9-11 and 13-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7,9-11 and 13-31* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 04/15/04 has been entered.

2.   Claims 1, 11, 17, and 30-31 have been amended in the communications received on

04/15/04. Claims 8 and 12 have been canceled. Claims 1-7, 9-11, and 13-31 are pending in the

current application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-7, 9-11, and 13-31 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Storch et al. (U.S. 5,920,846).

4.   As per claim 1, Storch et al. discloses a method for eliminating an unnecessary dispatch

of a service technician, comprising:

generating a service order indicating that a dispatch of a service technician is required

(See column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30,

wherein a service order is generated in the system and a date is set up in the system based on the

availability of technicians);

determining whether the dispatch is scheduled to occur within a predetermined time

period (See at least figure 12, and column 57, lines 8-31, wherein it is determined in a second

step of the process as to if the dispatch is scheduled to occur based on the first step of the process

within a predetermined time period, as set by the first step of the process);

placing the dispatch on hold while making a determination as to if the dispatch should

still be scheduled to occur with the predetermined time period (See at least figure 12, and column

57, lines 8-31, wherein the dispatch is waiting to occur or to be updated until a determination has

been made);

determining whether the service order meets a set of predefined criteria that indicates the

service order is likely to cause an unnecessary dispatch (See at least figure 12, column 53, lines

29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5, column 56, lines 1-19, 25-37, and

41-56, column 57, lines 8-31, wherein the predefined criteria are obtained and used to generate

the initial service order. After an appointment is set on the initial service order, the predefined

criteria are looked at to determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the

dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein when the

service order meets certain criteria, based on previously obtained data the dispatch is determined

to be not needed); and

if the dispatch is unnecessary, then canceling the dispatch associated with the service

order (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-49,

and 53-56, wherein the dispatch is not needed and the dispatch associated with the service order is eliminated).

However, Storch et al. does not expressly disclose placing the dispatch on hold prior to determining whether the dispatch is necessary if the dispatch is scheduled to occur within a predetermined time period.

Storch et al. discloses that after a dispatch is preliminarily scheduled, the dispatch waits to occur until a determination is made about the necessity of the dispatch. At this point, it is obvious to one of ordinary skill in the art that if the determination by the system does not occur by a certain time, the tool has two choices – to proceed or to wait (i.e. the dispatch must proceed or be cancelled/wait and be pushed back). As per the system of Storch et al., if the determination is not made within a predetermined amount of time, the system proceeds with its initial assessment. It would be obvious to one of ordinary skill in the art at the time of the invention to place the dispatch on hold before an assessment is made in order to increase the accuracy of the dispatches by reviewing each preliminary dispatch before allowing a dispatch to occur.

5.   As per claim 2, Storch et al. teaches a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining whether the service order was initiated by a competitive local exchange carrier (See column 53, lines 30-48, and column 54, lines 10-13 and 42-60, in which discusses a remote location selling telecommunications services interfacing with a central computer that maintains overall records concerning appointment dates and such. See also column 58, lines 12-14, which discusses the central computer scheduling with the provider based on geographic region, meaning that the system knows the company with which the order was placed).

6.   As per claim 3, Storch et al. discloses a method wherein determining whether the service

order meets a set of predefined criteria comprises:

determining the requirement of dispatch for the service order is determined by a work

management center (See at least figure 12, and column 57, lines 8-31, wherein when the service

order meets certain criteria, based on previously obtained data the dispatch is determined to be

needed or not).

Storch et al. further discloses an override code that requires dispatch of a technician in an

emergency situation (See also column 59, lines 2-21, which discuss the ability of the order taker

to place an override code on a service order, said override code ignoring the closed or

unavailable appointment times).

However, Storch et al. does not expressly disclose the override code being used to require

a dispatch regardless of a dispatch determination by a work management center.

FID or Field Identifier codes are assigned to service orders to indicate how to process the

service order, as stated in column 59, lines 45-56. Storch et al. discloses the ability to assign an

FID in an emergency situation that overrides closed appointments in the system, regardless of the

system determination of availability. Therefore, it would have been obvious to one of ordinary

skill in the art at the time of the invention to use the override code of Storch et al. to require a

dispatch regardless of a dispatch determination by a work management center in order to

increase the flexibility of the tool by allowing an order taker to effectively meet the needs of the

customer placing the service order.

7.   As per claim 4, Storch et al. teaches a method wherein determining whether the service

order meets a set of predefined criteria comprises:

determining whether the service order is related to a second service order (See column 56, lines 41-62, and column 57, lines 10-33, wherein the service order is analyzed for its association to other service orders that have already had determinations made).

However, Storch et al. does not expressly disclose that the second service order is pending.

Storch et al. teaches that when the tool is making a determination as to the necessity of the dispatch, it searches the service order's predefined criteria against a set of predefined criteria stored in database about other service orders. This data includes information about the predefined criteria of other service orders and the number of times a dispatch was required in those service orders. Whether the other service orders are pending completion or already completed is irrelevant to the determination of a dispatch in those instances. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to determine whether a service order is related to a second pending service order in order to more accurately identify if the current service order will cause an unnecessary dispatch by looking at past determinations related to the other service orders.

8.   As per claim 5, Storch et al. discloses a method wherein determining whether the service order meets a set of predefined criteria comprises:

determining whether the service order includes an assignment of facilities (See column 53, lines 29-48, column 56, lines 3-23, column 57, lines 8-37, in which a more in depth processing analyzes the service to ascertain the necessary facilities and the need for assignment of these facilities).

9.   As per claim 6, Storch et al. teaches a method wherein determining whether the service

indicates that a dispatch is unnecessary comprises:

        determining whether the assignment of facilities uses the same facilities that were

previously assigned to a location associated with the service order (See column 57, lines 11-17,

wherein during the more in depth processing the current status of the facilities are accessed to see

what exact work needs to be done).

10.   As per claim 7, Storch et al. discloses a method wherein canceling the dispatch

comprises:

        correcting the service order so that the dispatch associated with the service order is

canceled (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10,

36-49, which disclose fixing the original records stored about the service appointment date to

reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of

work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records

are updated to reflect the cancellation of the appointment. The appointment time is now free for

other service order dispatches).

11.   As per claim 9, Storch et al. discloses a method wherein determining whether the

dispatch is unnecessary comprises:

        in response to receiving a query based upon ones of the predefined criteria, searching a

database of service orders that indicate a dispatch is required to locate service orders that meet

the selected predefined criteria (See column 56, lines 41-62, and column 57, lines 10-33, wherein

the system is queried based upon the predetermined criteria and a database of service orders is

searched to locate situations where a dispatch was required); and

providing the service orders that meet the selected predefined criteria (See column 56, lines 41-62, and column 57, lines 10-33, wherein the service orders are made available that meet the certain predefined criteria).

However, Storch et al. does not expressly disclose that the second service order is pending.

Storch et al. teaches that when the tool is making a determination as to the necessity of the dispatch, it searches the service order's predefined criteria against a set of predefined criteria stored in database about other service orders. This data includes information about the predefined criteria of other service orders and the number of times a dispatch was required in those service orders. Whether the other service orders are pending completion or already completed is irrelevant to the determination of a dispatch in those instances. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to search a database of pending service orders in order to more accurately identify if the current service order will cause an unnecessary dispatch by looking at past determinations related to the other service orders.

12.   As per claim 10, Storch et al. teaches a method wherein determining whether the dispatch is unnecessary comprises:

periodically generating a report based upon selected ones of the predefined criteria that includes all service orders that meet the selected predefined criteria (See at least column 56, lines 41-61, wherein a statement is generated and issued at times (when required for a preliminary quote), using the databases, using the predefined criteria and all the service orders related to these criteria).

13.   As per claim 11, Storch et al. discusses a system for eliminating unnecessary dispatches, comprising:

a service order control system for receiving service requests from a source and for generating a service order (See at least figure 12, column 53, lines 15-31 and 53-65, column 54, lines 1-4, 14-17, 28-31, and 65-67, column 55, lines 1-17, and column 56, lines 1-19 and 25-37, wherein the predefined criteria are obtained from a customer and used to generate the initial service order. The service order includes any necessary facilities assignments);

a work management center for receiving the service order from the service order control system and for determining whether the service order requires a dispatch (See at least figure 12, and column 56, lines 41-64, wherein the service order is received from the service order control system and an initial determination is made as to whether the service order requires a dispatch); and

a trap service order system for monitoring the service order generated by the service order control system and for determining whether the dispatch is scheduled to occur within a predetermined time period and placing the dispatch on hold while making a determination as to if the dispatch should still be scheduled, the trap service order system in communication with the work management center about information and determinations, determining whether the service order requires a dispatch, and if so, determining whether the service order meets a set of predefined criteria that indicate the service order is likely to cause an unnecessary dispatch, and if so, further examining the service order to determine whether the dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein it is determined in a second step of the process as to if the dispatch is scheduled to occur based on the first step of the process within a

predetermined time period, as set by the first step of the process. The dispatch is waiting to

occur or to be updated until a determination has been made. See at least figure 12, column 57,

lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the initial

determinations are monitored and a determination is made as to whether or not the service order

requires a dispatch based on more specific information about the service order type and

information in fields of the service order. This information is compared to other service orders'

predefined criteria).

However, Storch et al. does not expressly disclose placing the dispatch on hold prior to

determining whether the dispatch is necessary if the dispatch is scheduled to occur within a

predetermined time period.

Storch et al. discloses that after a dispatch is preliminarily scheduled, the dispatch waits

to occur until a determination is made about the necessity of the dispatch. At this point, it is

obvious to one of ordinary skill in the art that if the determination by the system does not occur

by a certain time, the tool has two choices – to proceed or to wait (i.e. the dispatch must proceed

or be cancelled/wait and be pushed back). As per the system of Storch et al., if the determination

is not made within a predetermined amount of time, the system proceeds with its initial

assessment. It would be obvious to one of ordinary skill in the art at the time of the invention to

place the dispatch on hold before an assessment is made in order to increase the accuracy of the

dispatches by reviewing each preliminary dispatch before allowing it to occur.

14.   As per claim 13, Storch et al. teaches a system further comprising a loop facility

assignment control system for receiving the service order and for assigning facilities for the

service order, wherein if the trap service order system determines that the dispatch is

unnecessary, then the trap service order system communicates with the loop facility assignment

control system to update a database in the loop facility assignment control system (See column

55, lines 2-6, 25-38, and 41-45, and column 56, lines 32-34 and 41-48, which discuss the set up

of a preliminary appointment which includes an initial assignment of facilities to service the

order. See column 57, lines 8-37, which discusses the trapping of service orders not requiring

the dispatch of a technician, though previously assigned. When changes are made to the initial

assignment, the stored records associated with the service order are updated).

15.   As per claim 14, Storch et al. discloses a system wherein if the trap service order system

determines that the dispatch should be canceled, then the trap service order system

communicates with the service order control system to update a database in the service order

control system (See figure 12, column 55, lines 17-23 and 38-46, column 57, lines 32-46 and 51-

53, column 58, lines 22-31 and 36-41, which describes sending a notification to the service order

control system about the change in the appointment status of a service order, therefore updating

the database of appointment availability).

16.   As per claim 15, Storch et al. teaches a system wherein the service order control system

generates a corrected service order, which cancels the dispatch in response to the database update

(See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49,

which disclose fixing the original records stored about the service appointment date to reflect the

dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed

on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated

to reflect the cancellation of the appointment. The appointment time is now free for other

service order dispatches).

17.   As per claim 16, Storch et al. discloses a system wherein the trap service order system is

operative to identify all service orders that require a dispatch and that meet a set of predefined

criteria (See at least figure 12, column 57, lines 8-31 and 34-40, and column 58, lines 5-10, 36-

49, and 53-56, wherein the trap service order system works to recognize which service orders

require dispatch based on predefined criteria).

18.   As per claim 17, Storch et al. discusses a method for eliminating an unnecessary dispatch

of a service technician, comprising:

        generating a service order indicating that a dispatch of a service technician is required

(See column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30,

wherein a service order is generated in the system and a date is set up in the system based on the

availability of technicians);

        determining whether the dispatch is scheduled to occur within a predetermined time

period (See at least figure 12, and column 57, lines 8-31, wherein it is determined in a second

step of the process as to if the dispatch is scheduled to occur based on the first step of the process

within a predetermined time period, as set by the first step of the process);

        placing the dispatch on hold while making a determination as to if the dispatch should

still be scheduled to occur with the predetermined time period (See at least figure 12, and column

57, lines 8-31, wherein the dispatch is waiting to occur or to be updated until a determination has

been made);

        determining whether the service order meets a set of predefined criteria that indicate the

likelihood of an unnecessary dispatch by examining selected sections of the service order (See at

least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5,

column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria

are obtained and used to generate the initial service order. After an appointment is set on the

initial service order, the predefined criteria from sections of the service order are looked at to

determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the

dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein when the

service order meets certain criteria, based on previously obtained data the dispatch is determined

to be not needed); and

if the dispatch is unnecessary, then eliminating the dispatch by correcting the service

order and canceling a dispatch order for the dispatch (See at least figure 12, column 57, lines 8-

31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the dispatch is not needed

and the dispatch associated with the service order is eliminated. See also Figure 12 and column

57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, which disclose fixing the

original records stored about the service appointment date to reflect the dispatch being

unnecessary and canceled. When the assessment shows 0 hours of work needed on the

appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to

reflect the cancellation of the appointment. The appointment time is now free for other service

order dispatches).

However, Storch et al. does not expressly disclose placing the dispatch on hold prior to

determining whether the dispatch is necessary if the dispatch is scheduled to occur within a

predetermined time period.

Storch et al. discloses that after a dispatch is preliminarily scheduled, the dispatch waits

to occur until a determination is made about the necessity of the dispatch. At this point, it is

obvious to one of ordinary skill in the art that if the determination by the system does not occur

by a certain time, the tool has two choices – to proceed or to wait (i.e. the dispatch must proceed

or be cancelled/wait and be pushed back). As per the system of Storch et al., if the determination

is not made within a predetermined amount of time, the system proceeds with its initial

assessment. It would be obvious to one of ordinary skill in the art at the time of the invention to

place the dispatch on hold before an assessment is made in order to increase the accuracy of the

dispatches by reviewing each preliminary dispatch before allowing it to occur.

19.   As per claim 18, Storch et al. discusses a method wherein the set of predefined criteria is

selected based upon an analysis of past dispatches (See column 56, lines 45-61, and column 57,

lines 8-21, which discusses using tables storing records concerning past dispatches and statistical

analysis to determine the need for dispatch. The records are applied based on the information

provided in the current service order).

20.   As per claim 19, Storch et al. discloses a method wherein the set of predefined criteria

includes determining whether the service order is a new install or a reinstall/reconnect (See

column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines

11-17, which uses the specific areas of the stored records to determine if the service is a new

install or a reinstall/reconnect).

21.   As per claim 20, Storch et al. teaches a method wherein correcting the service order

comprises updating a database associated with a service order control system (See figure 12,

column 55, lines 17-23 and 38-46, column 57, lines 32-46 and 51-53, column 58, lines 22-31 and

36-41, which describes sending a notification to the service order control system about the

updated service order and it's appointment needs, therefore updating a database of appointment

availability).

22.   As per claim 21, Storch et al. teaches a method wherein the service order is for a new

install (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column

57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a

new install or a reinstall/reconnect).

23.   As per claim 22, Storch et al. discloses a method wherein the service order is for a

reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15,

and column 57, lines 11-17, which uses the specific areas of the stored records to determine if

the service is a new install or a reinstall/reconnect).

24.   As per claim 23, Storch et al. discloses a method wherein canceling the dispatch

comprises:

        generating a corrected service order (See Figure 12 and column 57, lines 8-31, 34-40, and

51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about

the service appointment date to reflect the dispatch being unnecessary and canceled. When the

assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is

unnecessary) then the system's records are updated to reflect the cancellation of the appointment.

The appointment time is now free for other service order dispatches);

        determining whether the corrected service order corresponds to the dispatch order (See

figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein the corrected service order

is looked at to see if the dispatch order exists in correlation to it);

if the corrected service order corresponds to the dispatch order, then canceling the

dispatch order (See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35,

wherein if in the preliminary phase a dispatch order was associated to the order and it is no

longer needed, the dispatch order is canceled and the appointment date/time becomes available).

25.   As per claim 24, Storch et al. teaches a system wherein the service order is for a new

install (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column

57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a

new install or a reinstall/reconnect).

26.   As per claim 25, Storch et al. teaches a system wherein the service order is for a

reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15,

and column 57, lines 11-17, which uses the specific areas of the stored records to determine if

the service is a new install or a reinstall/reconnect).

27.   As per claim 26, Storch et al. discloses a system wherein if the service order requires a

dispatch, then the work management center generates a dispatch order (See at least figure 12, and

column 56, lines 41-64, wherein the service order is received from the service order control

system and an initial determination is made as to whether the service order requires a dispatch.

If a dispatch is required, an dispatch order is arranged in the system).

28.   As per claim 27, Storch et al. teaches a system wherein the service order control system

generates a corrected service order, and wherein the work management center determines

whether the corrected service order corresponds to the dispatch order and if the corrected service

order corresponds to the dispatch order, then the work management center cancels the dispatch

order (See Figure 12 and column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10,

36-49, which disclose fixing the original records stored about the service appointment date to reflect the dispatch being unnecessary and canceled. When the assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is unnecessary) then the system's records are updated to reflect the cancellation of the appointment. See column 57, lines 38-42, and column 58, lines 5-35, wherein the dispatch order that corresponds to the corrected order is found and, if no longer needed, the dispatch order is canceled and the appointment date/time becomes available).

29.   As per claim 28, Storch et al. teaches a method wherein the service order is for a new install (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

30.   As per claim 29, Storch et al. discloses a method wherein the service order is for a reinstall/reconnect (See column 52, lines 16-21, column 43, lines 29-46, column 56, lines 10-15, and column 57, lines 11-17, which uses the specific areas of the stored records to determine if the service is a new install or a reinstall/reconnect).

31.   As per claim 30, Storch et al. teaches a method for eliminating an unnecessary dispatch of a service technician, comprising:

generating a service order indicating that a dispatch of a service technician is required (See column 53, lines 60-67, column 54, lines 1-15 and 65-67, column 55, lines 1-10 and 18-30, wherein a service order is generated in the system and a date is set up in the system based on the availability of technicians);

determining whether the dispatch is scheduled to occur within a predetermined time

period (See at least figure 12, and column 57, lines 8-31, wherein it is determined in a second

step of the process as to if the dispatch is scheduled to occur based on the first step of the process

within a predetermined time period, as set by the first step of the process);

placing the dispatch on hold while making a determination as to if the dispatch should

still be scheduled to occur with the predetermined time period (See at least figure 12, and column

57, lines 8-31, wherein the dispatch is waiting to occur or to be updated until a determination has

been made);

determining whether the service order meets a set of predefined criteria that indicate a

likelihood of an unnecessary dispatch by examining selected sections of the service order (See at

least figure 12, column 53, lines 29-46, column 54, lines 1-4 and 65-67, column 55, lines 1-5,

column 56, lines 1-19, 25-37, and 41-56, column 57, lines 8-31, wherein the predefined criteria

are obtained and used to generate the initial service order. After an appointment is set on the

initial service order, the predefined criteria from sections of the service order are looked at to

determine if the service order does not require a dispatch);

if the service order meets the set of predefined criteria, then determining whether the

dispatch is unnecessary (See at least figure 12, and column 57, lines 8-31, wherein when the

service order meets certain criteria, based on previously obtained data the dispatch is determined

to be not needed); and

if the dispatch is unnecessary, then eliminating the dispatch by:

generating a corrected service order (See Figure 12 and column 57, lines 8-31, 34-40, and

51-54, and column 58, lines 5-10, 36-49, which disclose fixing the original records stored about

the service appointment date to reflect the dispatch being unnecessary and canceled. When the

assessment shows 0 hours of work needed on the appointment date (i.e. the dispatch is

unnecessary) then the system's records are updated to reflect the cancellation of the appointment.

The appointment time is now free for other service order dispatches);

determining whether the corrected service order corresponds to a dispatch order

generated in response to the service order (See figure 12, column 57, lines 38-42, and column 58,

lines 5-35, wherein the corrected service order is looked at to see if the dispatch order exists in

correlation to it); and

if the corrected service order corresponds to the dispatch order, then canceling the

dispatch order (See at least figure 12, column 57, lines 38-42, and column 58, lines 5-35,

wherein if in the preliminary phase a dispatch order was associated to the order and it is no

longer needed, the dispatch order is canceled and the appointment date/time becomes available).

However, Storch et al. does not expressly disclose placing the dispatch on hold prior to

determining whether the dispatch is necessary if the dispatch is scheduled to occur within a

predetermined time period.

Storch et al. discloses that after a dispatch is preliminarily scheduled, the dispatch waits

to occur until a determination is made about the necessity of the dispatch. At this point, it is

obvious to one of ordinary skill in the art that if the determination by the system does not occur

by a certain time, the tool has two choices – to proceed or to wait (i.e. the dispatch must proceed

or be cancelled/wait and be pushed back). As per the system of Storch et al., if the determination

is not made within a predetermined amount of time, the system proceeds with its initial

assessment. It would be obvious to one of ordinary skill in the art at the time of the invention to

place the dispatch on hold before an assessment is made in order to increase the accuracy of the

dispatches by reviewing each preliminary dispatch before allowing it to occur.

32.   As per claim 31, Storch et al. discloses a system for eliminating unnecessary dispatches,

comprising:

a service order control system for receiving service requests from a source, generating a

service order, and generating a corrected service order in response to a communication from a

trap service order system (See at least figure 12, column 53, lines 15-31 and 53-65, column 54,

lines 1-4, 14-17, 28-31, and 65-67, column 55, lines 1-17, and column 56, lines 1-19 and 25-37,

wherein the predefined criteria are obtained from a customer and used to generate the initial

service order. The service order includes any necessary facilities assignments. See figure 12,

column 57, lines 8-31, 34-40, and 51-54, and column 58, lines 5-10, 36-49, wherein the service

order control system also corrects the service order after the trap service order system analyzes

it);

a work management center for receiving the service order from the service order control

system, determining whether the dispatch is scheduled to occur within a predetermined time

period and placing the dispatch on hold while making a determination as to if the dispatch should

still be scheduled, the trap service order system in communication with the work management

center about information and determinations, determining whether the service order requires a

dispatch, and if so then generating a dispatch order, receiving the corrected service order from

the service order control system, for determining whether the corrected service order corresponds

to the dispatch order, and if so, canceling the dispatch order (See at least figure 12, and column

56, lines 41-64, wherein the service order is received from the service order control system and

an initial determination is made as to whether the service order requires a dispatch. See at least

figure 12, column 57, lines 38-42, and column 58, lines 5-35, wherein, when the service order is

corrected, the system locates a dispatch order associated with the original order, if one exists, and

cancels it, if necessary); and

the trap service order system for monitoring the service order generated but the service

order control system, determining whether the service order requires a dispatch, and if so, then

comparing a service order type and information in the selected field of the service order with a

set of predefined criteria that indicates the service order is likely to cause an unnecessary

dispatch, and if so, then further examining the service order to determine whether the dispatch is

unnecessary, and if so, then communicating with the service order control system (See at least

figure 12, and column 57, lines 8-31, wherein it is determined in a second step of the process as

to if the dispatch is scheduled to occur based on the first step of the process within a

predetermined time period, as set by the first step of the process. The dispatch is waiting to

occur or to be updated until a determination has been made. See at least figure 12, column 57,

lines 8-31 and 34-40, and column 58, lines 5-10, 36-49, and 53-56, wherein the initial

determinations are monitored and a determination is made as to whether or not the service order

requires a dispatch based on more specific information about the service order type and

information in fields of the service order. This information is compared to other service orders'

predefined criteria. This is communicated to the system controlling the service order).

However, Storch et al. does not expressly disclose placing the dispatch on hold prior to

determining whether the dispatch is necessary if the dispatch is scheduled to occur within a

predetermined time period.

Storch et al. discloses that after a dispatch is preliminarily scheduled, the dispatch waits

to occur until a determination is made about the necessity of the dispatch. At this point, it is

obvious to one of ordinary skill in the art that if the determination by the system does not occur

by a certain time, the tool has two choices – to proceed or to wait (i.e. the dispatch must proceed

or be cancelled/wait and be pushed back). As per the system of Storch et al., if the determination

is not made within a predetermined amount of time, the system proceeds with its initial

assessment. It would be obvious to one of ordinary skill in the art at the time of the invention to

place the dispatch on hold before an assessment is made in order to increase the accuracy of the

dispatches by reviewing each preliminary dispatch before allowing it to occur.

Response to Arguments

33.   Applicant's arguments with respect to the 35 USC § 102 rejections based on Storch et al.

(U.S. 5,920,846) have been considered but are moot in view of the new grounds of rejection.

34.   Applicant's arguments with regards to the teaching of Storch et al. have been fully

considered, but they are not persuasive. In the remarks, Applicant's argue that Storch et al. fails

to teach or suggest whether the dispatch of the technician is scheduled to occur within a

predetermined time period, and if so, placing the dispatch of the technician on hold.

In response to Applicant's argument, Examiner agrees with the Applicant that Storch et

al. does not expressly teach that the dispatch is placed on hold specifically because the dispatch

is scheduled to occur within a predetermined time period. However, Examiner reminds the

Applicant that this limitation was rejected in both this office action and the previous office action

under 35 USC § 103. Examiner maintains that Storch et al. does teach and suggest determining

whether the dispatch of the technician is scheduled to occur within a predetermined time period

and placing the dispatch on hold while making a determination as to if the dispatch should still

be scheduled to occur with the predetermined time period in at least figure 2 and column 57,

lines 8-31. Storch et al. discusses that a preliminary time period for dispatch is assigned to a

service order in a first step and that in a second step, this predetermined time period is assessed

and updated to reflect a finalized time period (the finalized time period may still be a dispatch or

may also be a cancellation). This assessment in the second step must take place within a defined

amount of time set within the system (for example, the second step must occur within 30 minutes

of the first step). While this assessment is occurring, the dispatch is waiting for finalized details.

A finalized time must be entered in order to allow for the dispatch to occur. Therefore, it would

have been obvious to one of ordinary skill in the art at the time of the invention to place the

dispatch of Storch et al. on hold based specifically on when the dispatch is scheduled to occur in

order to allow the second step to definitely occur before the dispatch takes place.

Examiner further points out that Applicant did not argue the § 103 rejections of claims 8

and 12 set forth in the previous office action in which Examiner stated that these limitations

would have been obvious to one of ordinary skill in the art at the time of the invention in light of

the teachings of Storch et al.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Daniel (U.S. 6,640,101) teaches eliminating unnecessary dispatches of technicians

through remote testing.

Glovitz et al. (U.S. 5,682,421) teaches a dispatch system for technicians that includes a delay order notice.

Walker et al. (U.S. 5,963,911) teaches a system that optimizes the use of technicians and calculates cost scores that incorporated delays.
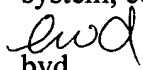
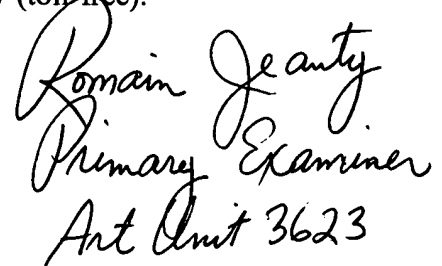Kruse et al. (U.S. 5,590,269) teaches updating technician schedules using an elaps time delay.

"Task Scheduling Algorithm for a Teleprocessing Communications Controller" (IBM Technical Disclosure Bullentin) teaches a wait function that places a task on hold until further action occurs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bvd
May 28, 2004

Romain Jeanty
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Art Unit 3623